

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
APRIL 12, 2017**

**CALL TO
ORDER
6:01 pm**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at the South Campus Building, 40 11th Street W, Ste. 200, Kalispell, Montana. Board members present were Rita Hall, Sandra Nogal, Dean Sirucek, Ron Schlegel, Jeff Larsen, Kevin Lake, Greg Stevens and Mike Horn. Jim Heim had an excused absence. Erik Mack, Rachel Ezell, Donna Valade, Kari Nielsen and Mark Mussman represented the Flathead County Planning & Zoning Office.

There were approximately 50 people in the audience.

**APPROVAL OF
MEETING
MINUTES
6:01 pm**

Nogal made a motion, seconded by Sirucek to approve the March 9, 2017 meeting minutes.

**BOARD
DISCUSSION
6:00 pm**

None

**ASK THE
QUESTION
6:02 PM**

Larsen asked the question.

**ROLL CALL TO
APPROVE
MEETING
MINUTES
6:02 pm**

On a roll call vote the motion passed unanimously.

**PUBLIC
COMMENT
(not related to
agenda items)
6:02 pm**

None

**MICHAEL
MAYER/DON &
VICKIE
BURTON**

A zone change request by Michael Mayer and Donald & Victoria Burton in the Highway 93 North Zoning District. The proposal would change the zoning on parcels containing approximately 10.17 acres from *SAG-5 (Suburban Agricultural)* to *R-2.5 (Rural*

(FZC-17-01)
6:02 pm

Residential). The subject properties are located at 2227 and 2223 Whitefish Stage.

Jeff Larsen recused himself from this file.

STAFF REPORT
6:02 pm

Mack reviewed Staff Report FZC-17-01 for the Board.

BOARD
QUESTIONS
6:04 pm

None

APPLICANT
PRESENTATION
6:05 pm

Donald Burton-2223 Whitefish Stage Road, Kalispell-stated he was the applicant. He felt the staff report was well written and wanted to point out that the property to the east was the Rosewater Subdivision.

BOARD
QUESTIONS
6:06 pm

None

AGENCY
COMMENTS
6:07 pm

None

PUBLIC
COMMENT
6:07 pm

None

APPLICANT
REBUTTAL
6:08 pm

None

BOARD
QUESTIONS
6:08pm

None

STAFF
REBUTTAL
6:08 pm

None

BOARD
QUESTIONS
6:08 pm

None

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC-17-01)
6:08pm**

Schlegel made a motion seconded by Sirucek to adopt Staff Report FZC-17-01 as Findings of Fact.

**BOARD
DISCUSSION
6:08 pm**

None

**ASK THE
QUESTION
6:08 pm**

Stevens asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FZC-17-01)
6:09 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FZC-17-01)
6:09 pm**

Schlegel made a motion seconded by Hall to adopt Staff Report FZC-17-01 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
6:10 pm**

None

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-17-01)
6:10 pm**

On a roll call vote the motion passed 6-0 with Nogal abstaining.

**DWIGHT & ANN
LAMM
(FZC-17-03)
6:11 pm**

A zone change request by WGM Group, Inc. on behalf of Dwight & Ann Lamm in the Bigfork Zoning District. The proposal would change the zoning on a parcel containing approximately 21.9 acres from *AG-20 (Agricultural)* to *SAG-5 (Suburban Agricultural)*. The subject property is located at 6955 Highway 35 near Bigfork.

**STAFF REPORT
6:12 pm**

Valade reviewed Staff Report FZC-17-03 for the Board.

**BOARD
QUESTIONS
6:14 pm**

None

**APPLICANT
PRESENTATION
6:14 pm**

BJ Grieve-WGM Group-151 Business Center Loop, Kalispell- stated he represented the applicant. He stated the applicant would like to split the property for estate planning purposes. The applicant had proposed SAG-10, however the way the property was configured would have made it difficult to have two ten acre parcels that were buildable. SAG-5 would allow more flexibility in the future for estate planning. They agreed with the staff report.

**BOARD
QUESTIONS
6:15pm**

None

**AGENCY
COMMENTS
6:15 pm**

None

**PUBLIC
COMMENT
6:15 pm**

None

**APPLICANT
REBUTTAL
6:15 pm**

None

**BOARD
QUESTIONS
6:16 pm**

None

**STAFF
REBUTTAL
6:16 pm**

None

**BOARD
QUESTIONS
6:16pm**

None

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC-17-03)**

Stevens made a motion seconded by Sirucek to adopt Staff Report FZC-17-03 as Findings of Fact.

6:16 pm

**BOARD
DISCUSSION
6:16 pm**

None

**ASK THE
QUESTION
6:16 pm**

Larsen asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FZC-17-03)
6:16pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FZC-17-03)
6:17 pm**

Schlegel made a motion seconded by Hall to adopt Staff Report FZC-17-03 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
6:17 pm**

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-17-03)
6:17 pm**

On a roll call vote the motion passed unanimously.

**MARY JO
NAÏVE/RIVER
ROAD
PROPERTIES
LLC
(FZC-17-02)
6:18 pm**

A zone change request by Mary Jo Naïve and River Road Properties, LLC for properties located in the Bigfork Zoning District. The proposal would change the zoning on a parcel containing approximately 20 acres from AG-20 (*Agricultural*) to SAG-5 (*Suburban Agricultural*). The properties are located at 196 and 322 Slow Down Lane near Bigfork, MT.

**STAFF REPORT
6:18 pm**

Ezell reviewed Staff Report FZC-17-02 for the Board.

**BOARD
QUESTIONS
6:23 pm**

None

**APPLICANT
PRESENTATION
6:23 pm**

Mary Jo Naïve stated that she is one of the owners and has been on the property for over 30 years. She explained that the driveways along the two properties are looped and doesn't believe that emergency vehicles will have a hard time getting in and out of the area. She thought that she was zoned 'SAG-5' for many years as all of her neighbors were zoned 'SAG-5' and she wonders how her property was left as 'AG-20'.

**BOARD
QUESTIONS
6:24 pm**

Stevens asked the applicant how much it cost to apply for the zone change.

Naïve stated approximately \$1200.

**AGENCY
COMMENTS
6:24 pm**

None

**PUBLIC
COMMENT
6:24 pm**

None

**APPLICANT
REBUTTAL
6:25 pm**

None

**BOARD
QUESTIONS
6:25 pm**

None

**STAFF
REBUTTAL
6:25 pm**

None

**BOARD
QUESTIONS
6:26pm**

None

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC-17-02)**

Horn made a motion seconded by Hall to adopt Staff Report FZC-17-02 as Findings of Fact.

6:26 pm

**BOARD
DISCUSSION
6:28 pm**

None

**ASK THE
QUESTION
6:26 pm**

Larsen asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FZC-17-02)
6:26 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FZC-17-02)
6:26 pm**

Hall made a motion seconded by Nogal to adopt Staff Report FZC-17-02 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
6:27 pm**

Stevens stated that the parcel was reverse spot zoning. He mentioned that planning staff could ask adjoining neighbors if they want to participate in a zone change in the future so as not to create islands of different zoning.

Hall agreed.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-17-02)
6:29 pm**

On a roll call vote the motion passed unanimously.

**GLACIER PARK
INC.
(FCMU-17-01)
6:29 pm**

A request from Glacier Park Inc. with technical assistance from Sands Surveying, Inc. for a Major Land Use Review for a 'Planned Community' that will include 25 rental cabins within the Middle Canyon Region of the C.A.L.U.R.S (Canyon Area) Zoning District on approximately 178 acres. The proposal includes a request for Preliminary Plat approval of 'West Glacier R.V. and Cabin Village', a two phase 102-space RV park 'Subdivision for Lease or Rent' on approximately 24 acres. The applicant is proposing to establish public water and sewer systems to serve the Planned Community and R.V. Park. Access would be from River Bend

Drive via Going to the Sun Road in West Glacier, immediately north of U.S. Highway 2.

STAFF REPORT
6:30 pm

Nielsen reviewed Staff Report FCMU-17-01 and FPP-17-01 for the Board.

BOARD
QUESTIONS
6:33 pm

None

APPLICANT
PRESENTATION
6:35 pm

Eric Mulcahy-Sands Surveying-2 Village Loop, Kalispell stated he was one of the technical assistants on this project. He stated that this was identified in the Canyon Plan as the area for West Glacier to expand. With the Canyon Plan came the CALURS which is the middle canyon and upper canyon zoning regulations. These regulations create a set of performance standards for a planned community and the growth of West Glacier. This property is one of the properties in the middle canyon that will allow the planned community. He reviewed how this application met those performance standards.

Regarding the RV Park there were 25 cabins and then the RV Park sits behind those. This was designed to leave a large number of trees between the RV Park and the county road. At least five (5) of the cabins would be employee housing for GPI employees. Mulcahy stated that a lot of the comments were concerned with traffic and walking and biking on River Bend Road. GPI was proposing a trail system that would be open to the public through their land to help alleviate foot traffic on River Bend Road. The applicant was also proposing a shuttle service for the RV Park that would connect with the bus service into the park to alleviate individual traffic from the RV Park.

Ron Cadrette-12035 Highway 2, West Glacier stated he was general manager and vice president of Glacier Park, International (GPI). He stated CALURS had 12 goals and he felt this application had met or exceeded all of those goals. This plan is for an accommodation facility that is badly needed in West Glacier. There is more demand than there is supply in West Glacier.

**BOARD
QUESTIONS
6:54pm**

Hall asked if there was an RV dump-site included in this plan.

Cadrette stated no just the individual RV hook-ups.

Nogal asked why the applicant did not want to hook up with Glacier's Waste Water Treatment Plant as suggested in their comment.

Cadrette stated after meeting with Jim Foss from Glacier Park. He had come to the conclusion that it was still best to go with their own system for several reasons which he explained.

Stevens stated that a lot of the comments expressed fear of a reduction in the level of ground water as a result of this project and could someone address those fears.

Roger Noble-Applied Water Consultants stated that the development itself was going to use two (2) water supply wells and those wells are going to be limited to 35 gallons per minute each. He explained why he did not anticipate a problem.

Nogal asked if it was written down somewhere that the area along the river would not be developed.

Mulcahy stated that the area was designated green space.

Sirucek commented that he believed this area was a linkage corridor for bears and strongly disagreed with the conclusion that this development would have little impact on wildlife.

Mulcahy stated that his argument would be that no one would intentionally try to get bears to use this corridor due to the large population area next to it.

Sirucek had questions regarding the wastewater spray irrigation system and handed the Board a report titled 'Summary of the Soil, Chemical and Physical Analysis Data', which is a copy of the lab data for the soils where the sewage water would be irrigated. (see attached)

Tom Cowan-Carver Engineering explained how the system would be designed and developed.

Stevens stated that the final say would come from DEQ.

Larsen agreed. If the project did not get DEQ approval for wastewater it could not move forward. Sirucek had questions about the traffic study at the intersection of Going to Sun Road and River Bend Drive.

Bob Abelin-Abelin Traffic Services- conducted the traffic study for this project. He went over the traffic study and concluded that this project would not have a major impact on the conditions. He stated that there was already a problem at this intersection, but it was not created by GPI and the additional 300 trips per day would not create a dangerous situation. The concerns should be addressed with MDOT and the community of West Glacier. He stated that anyone could request a traffic study be done with MDOT if they felt the intersection was dangerous.

The traffic study was discussed at length.

**AGENCY
COMMENTS
7:32 pm**

None

**PUBLIC
COMMENT
7:34 pm**

Larry Mackin-698 Riverbend Drive, West Glacier-stated he was not against the proposed RV Park and was in agreement with the conditions in the staff report but felt they did not mitigate all the problems. He stated he had submitted a letter detailing his concerns but had a couple of additions. One concern was with the wastewater treatment system, the other was with the traffic impact to Riverbend Road.

Elizabeth Blacker-602 Wild River Drive, West Glacier-was also concerned with traffic impacts. She was also concerned with the water compact allocation as she had a well. Blacker stated that this was a wildlife corridor and wanted the land donated to the Conservatory.

Nancy Mackin-698 Riverbend Drive-West Glacier-stated she had already submitted a letter detailing her concerns. She talked about the traffic from the rafting companies that was already on Riverbend drive and was concerned with the impact of the additional traffic to come from this development.

Elizabeth Bolles-641 Sloan Lane, West Glacier-has been a permanent resident for over 36 years. She had seen wildlife every day in her yard. She was opposed to this application.

Ron Beard-823 Riverbend Drive, West Glacier-agreed with all previous speakers. Talked about the traffic study and when it was done. He felt the report was flawed.

Herb Mains-746 Riverbend Drive, West Glacier-agreed with Beard's comments.

Karen Jensen-255 Old River Bridge Road, West Glacier-was concerned about traffic and the park limiting access in the future. She was also concerned about sanitation.

Janis Fox Walburn-662 Riverbend Drive, West Glacier-was concerned with the impacts to West Glacier over all.

Dwight O'Hara-610 4th St, Deer Lodge, MT-agreed with previous speakers. Traffic was a huge issue.

Jim Aronow-255 Old River Bridge Road, West Glacier-talked about the congestion at the intersection of Highway 2 and Riverbend Drive. He was also concerned with the waste water and sewer system.

Carol Johnsrud-243 Glacier Ave, West Glacier-agreed with previous speakers and was opposed to project.

Gail Pauley-233 Glacier Ave, West Glacier-was concerned about traffic. She talked about the traffic currently on Riverbend Drive. She felt that more time was needed for MDOT to respond. She was also concerned about screening from Riverbend Drive. She wanted a community meeting regarding this application.

Myra McCrorie-1300 Belton Stage Road, West Glacier-agreed with Pauley.

Laura Wikstrom-852 Riverbend Drive, West Glacier-was concerned about pedestrian safety. She also talked about the length of the vehicles trying to make the turn.

Dan Bangeman-543 N Juniper Bay Road, Somers-wanted an overpass or underpass over the railroad tracks onto Highway 2. He also wanted a green space designated where the parking area was located. He stated he agreed with all previous speakers.

Madeline Martin-675 Sloan Lane, West Glacier-was concerned with personal safety and the wildlife.

Amanda Cain-174 Armory Road, Whitefish-was concerned for the residents of West Glacier and the impacts to the people living in West Glacier. She agreed with the previous speakers.

Darwon Stoneman-stated he owned Glacier Raft. He stated he couldn't disagree with everything that had been said. He drove the buses towing the rafts and was able to get in and out of Riverbend Drive. He felt MDOT needed to be involved but he supported GPI.

Ryan Dunn-4867 Blankenship Road-was concerned with the infrastructure.

Mary Lee Thamert-148 Riverbend Drive, West Glacier-agreed with all previous speakers. She was concerned with noise. She talked about the wildlife.

The Board took a break from 8:20 pm to 8:44 pm.

**APPLICANT
REBUTTAL
8:45 pm**

Ron Cadrette-stated he was committed to working with the various agencies moving forward to mitigate the challenges that have surfaced.

Bob Abelin-talked about the traffic counts that were used in the traffic study and when they were taken. He talked about the existing problem with traffic already and stated that it probably did need to be addressed with the appropriate agencies but GPI did not create the problem which is what the traffic study had to look at.

**BOARD
QUESTIONS
8:49 pm**

None

**STAFF
REBUTTAL
8:49 pm**

Kari Nielsen talked about the statutory requirements on review periods for applications. She also stated that the regulations stated that an application could not be held up due to lack of comment by a public agency.

**BOARD
QUESTIONS**

None

8:51 pm

**MAIN MOTION
TO ADOPT
F.O.F.
(FCMU-17-01)
8:52 pm**

Schlegel made a motion seconded by Stevens to adopt Staff Report FCMU-17-01 as Findings of Fact.

**BOARD
DISCUSSION
8:52 pm**

Stevens complimented staff on the staff report.

Larsen asked if the application met the CALURS regulations.

Nielsen stated yes.

Stevens talked about how well this project fit into the CALURS regulations and the concerns with traffic.

Larsen talked about the creation of CALURS and the work that had gone into creating it.

**ASK THE
QUESTION
8:57 pm**

Larsen asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FCMU-17-01)
8:58 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FCMU-17-01)
8:58 pm**

Stevens made a motion seconded by Hall to adopt Staff Report FCMU-17-01 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
8:48 pm**

None

**ASK THE
QUESTION
8:59 pm**

Larsen asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FCMU-17-01)
8:59 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO ADOPT
F.O.F.
(FPP-17-01)
9:00 pm**

Schlegel made a motion seconded by Horn to adopt Staff Report FPP-17-01 as Findings of Fact.

**BOARD
DISCUSSION
9:01 pm**

Nogal stated the application was legal and the applicant had the right program in place for what the property was zoned for. She talked about the quality of life for the people of West Glacier and the problem with the traffic on Riverbend Road. She stated she was struggling with this application.

Stevens stated the bottle neck in traffic was created by Glacier Park and not GPI. He talked about contacting the Secretary of the Interior to have Glacier Park place more lanes at the entrance to alleviate the bottle neck.

Hall talked about CALURS and when it was adopted. She stated the issues that had been brought up were valid and she appreciated the letters from the neighbors.

Sirucek stated he had 3 issues with the findings. He was very concerned with traffic. Secondly he was concerned with this being a wildlife corridor. Finally, he had a problem with the waste water treatment. He wanted it put into the record and forwarded to DEQ, a copy of the 1982 Summary of the Soil, Chemical and Physical Analysis Data, which is a copy of the lab data for the soils where the sewage water would be irrigated.

Larsen stated he had a problem with Finding 4 concerning traffic.

**SECONDARY
MOTION TO
AMEND
FINDING 4
9:18 pm**

Larsen made a motion seconded by Sirucek to amend Finding 4 as follows:

Add the following sentence to the finding.

Traffic impacts are a major concern based on written and verbal public testimony and are difficult to mitigate.

**BOARD
DISCUSSION
9:18 pm**

None

**ASK THE
QUESTION
9:18 pm**

Larsen asked the question.

**ROLL CALL TO
AMEND
FINDING 4
9:18 pm**

On a roll call vote the motion passed unanimously.

**MORE BOARD
DISCUSSION
9:19 pm**

Hall read Finding 12 stating that it would have been nice to have had a response from Fish, Wildlife and Parks (FWP). She didn't feel there was enough information to say there would be minimum impact to wildlife.

Schlegel stated planning staff had no other course to take than that as FWP had not responded.

Sirucek talked about grizzly bear and this being a wildlife corridor.

Larsen stated that typically when FWP responds it is with conditions, he was also surprised they had not commented.

Stevens agreed commenting that the impacts in the summer would be more than the rest of the year.

The Board discussed the lack of response from FWP at length.

**ROLL CALL TO
ADOPT F.O.F.
AS AMENDED
(FPP-17-01)
9:27 pm**

On a roll call vote the motion passed 6-2 with Sirucek and Hall dissenting.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FPP-17-01)
9:28 pm**

Schlegel made a motion seconded by Hall to adopt Staff Report FPP-17-01 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
9:28 pm**

Schlegel talked about the comments received regarding the traffic issue. He stated that the problem already existed and felt that Glacier Park had some responsibility for correcting the bottle neck of traffic going into the park. He talked about Cadrette's willingness to work with MDOT to fix the existing problem. He was bothered with the existing traffic problems.

Hall stated that the issue with traffic on Riverbend Road was not due to this application.

Nogal agreed that it was not GPI's fault but that it didn't help either. She talked about the infrastructure not being built to accommodate the 3 million visitors to the park.

Stevens stated that infrastructure never precedes development. He stated he did not know how to remedy that.

Larsen stated he had read all the comments and had written down the concerns. Water and sewer was one of the major concerns and he felt that Condition 6 and Condition 18 mitigated those concerns. Environmental was another concern and it was also mitigated by Condition 6. Wildlife was another major concern and it was handled with Conditions 24, 25 and 26. Forest fires and fire situations are addressed in Conditions 20, 21, and 22. The road and access are addressed with Conditions 2 and 5. Larsen wanted to know if there was a condition that could be added that would mitigate the concerns with traffic better, possibly getting MDOT involved.

The Board, applicant and staff discussed this proposal at length.

**SECONDARY
MOTION TO
ADD
CONDITION
9:42 pm**

Larsen made a motion seconded by Schlegel to add Condition 27 to read:

Applicants shall contact Montana Department of Transportation to determine permits needed to access Going-to-the-Sun Road and shall comply with those permits.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-17-01)
9:42 pm**

On a roll call vote the motion passed unanimously.

**SECONDARY
MOTION TO
ADD
CONDITION 28
9:48 pm**

Stevens made a motion seconded by Larsen to add Condition 28 to read as follows:

Flathead County Commission shall contact the Secretary of the Interior with a request to alleviate the bottleneck at West Glacier to address traffic safety concerns.

**BOARD
DISCUSSION
9:48 pm**

Mussman cautioned the Board on putting this condition in as the Flathead County Commission was not the applicant.

**ROLL CALL TO
ADD
CONDITION 28
9:48 pm**

On a roll call vote the motion failed on a 2-6 vote with Sirucek, Schlegel, Horn, Hall, Nogal, and Lake dissenting.

**MOTION TO
AMEND
CONDITION 27
9:49 pm**

Sirucek made a motion seconded by Hall to amend condition 27 as follows:

Applicants shall contact Montana Department of Transportation *and supply public comment* to determine permits needed to access Going-to-the-Sun Road and shall comply with those permits.

**BOARD
DISCUSSION
9:51 pm**

None

**ROLL CALL TO
AMEND
CONDITION 27
9:51 pm**

On a roll call vote the motion passed unanimously.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-17-01)
9:52 pm**

On a roll call vote the motion passed 5-3 with Nogal, Hall, and Sirucek dissenting.

**OLD BUSINESS
9:59 pm**

None

NEW BUSINESS

None

10:00 pm

ADJOURNMENT The meeting was adjourned at approximately 10:00 pm on a motion by Schlegel The next meeting will be held on May 10, 2017 at 6:00 pm.
10:00 pm

Jeff Larsen, Chairman

Danene Thornton, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: ____/____/17